

Application No.: 09/965,345

2

Docket No.: 136922000503

REMARKS

An Amendment with RCE was timely filed on July 8, 2005 in response to the final Office Action. A Terminal Disclaimer was to accompany the Amendment. However, it appears that the Terminal Disclaimer was omitted at the time of filing the Amendment.

Pursuant to a telephone call with the Examiner on August 1, 2005, the Examiner has requested a Supplemental Amendment be submitted along with the Terminal Disclaimer and Statement Under 37 CFR 3.37(b). Please note that a terminal disclaimer fee under 37 CFR 1.20(d) in the amount of \$130.00 has been authorized to be charged to our Deposit Account.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 136922000505. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 2, 2005

Respectfully submitted,

By  for
Norman R. KlivansRegistration No.: 33,003
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, California 94304-1018
(650) 813-5850

pa-998764